

SCOTT N. SCHOOLS (SC 9990)
United States Attorney

DOUG SPRAGUE (CASBN 202121)
Acting Chief, Criminal Division

DEREK R. OWENS (CSBN 230237)
Assistant United States Attorney

CRYSTAL TINDELL
Law Clerk

450 Golden Gate Avenue, 11th Floor
San Francisco, California 94102
Telephone: (415) 436-7149
Facsimile: (415) 436-7234
derek.owens@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

On July 10, 2007, the parties in this case appeared before the Court for a status hearing. At that appearance, Assistant Federal Public Defender Elizabeth Falk informed the Court the Defendant was unable to appear in Court due to work-related obligations. A FPD Falk stated that her office was continuing to investigate the case, and that she had just received a draft plea agreement from Counsel for the government. Therefore, the parties requested that the matter be continued to July 24, 2007, at 10:30 a.m. for a change of plea. In addition, Counsel for the government requested an exclusion of time from July 10, 2007 to July 24, 2007, in order to

1 afford AFPD Falk an opportunity to further investigate the case and consider a draft plea
2 agreement. AFPD Falk agreed that an exclusion of time is appropriate based on the defendant's
3 need for effective preparation of counsel. 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

4 SO STIPULATED:

5 SCOTT N. SCHOOLS
6 United States Attorney

7 DATED: 7/10/2007

/s/ Derek R. Owens
8 DEREK R. OWENS
9 Assistant United States Attorney

10 DATED: 7/10/2007

/s/ Elizabeth M. Falk
11 ELIZABETH M. FALK
12 Assistant Federal Public Defender

13 For good cause shown, the Court HEREBY ORDERS that time be excluded under the
14 Speedy Trial Act from July 10, 2007, to July 24, 2007. The Court finds, based on the
15 aforementioned reasons, that the ends of justice served by granting the requested continuance
16 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
17 the requested continuance would deny counsel reasonable time necessary for effective
18 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
19 of justice. The Court therefore concludes that this exclusion of time should be made under 18
20 U.S.C. §§ 3161 (h)(8)(A) and (B)(iv).

21 SO ORDERED.

22 DATED: July 24, 2007

